

PATRICK W. SHEA (NY SB# 4587176), *Pro Hac Vice*
patrickshea@paulhastings.com
PAUL HASTINGS LLP
75 East 55th Street
First Floor
New York, NY 10022
Telephone: (212) 318-6405
Facsimile: (212) 752-2542

Attorneys for Defendants
AT&T PENSION BENEFIT PLAN - NONBARGAINED PROGRAM and AT&T, INC.

ROGER P. ROZEK (SB# 214353)
roger@marinlegal.com
MARIN LEGAL, PC
363 Marin Avenue
Mill Valley, CA 94941
Telephone: (415) 331-0311
Facsimile: (415) 388-2555

Attorney for Plaintiff
WILLIAM GRAHAM

Additional Counsel Listed on the Next Page

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WILLIAM GRAHAM,

Plaintiff,

vs.

AT&T PENSION BENEFIT PLAN -
NONBARGAINED PROGRAM; AT&T,
INC.; and DOES 1-10,

Defendants.

CASE NO. 11-CV-4085 TEH

**THIRD STIPULATION TO EXTEND THE
DEADLINE FOR PARTIES TO HOLD AN
EARLY NEUTRAL EVALUATION;
[PROPOSED] ORDER**

[ADR L.R. 5-5]

Complaint Filed: August 15, 2011

1 STEPHEN H. HARRIS (SB# 184608)
stephenharris@paulhastings.com
2 M'ALYSSA C. MECENAS (SB# 272075)
malyssamecenas@paulhastings.com
3 **PAUL HASTINGS LLP**
515 South Flower Street
4 Twenty-Fifth Floor
Los Angeles, CA 90071-2228
5 Telephone: (213) 683-6000
Facsimile: (213) 627-0705
6

Attorneys for Defendants
7 AT&T PENSION BENEFIT PLAN - NONBARGAINED PROGRAM and AT&T, INC.
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 Pursuant to ADR Local Rule 5-5 and Civil Local Rule 7, the Parties stipulate and jointly
2 move for an order from the Court to move the Early Neutral Evaluation (“ENE”) deadline
3 previously set for March 9, 2012 to April 16, 2012, and for relief from the deadlines associated
4 with that conference.

5 WHEREAS:

- 6 1. On or about November 14, 2011, the Parties selected ENE for the resolution of this case.
- 7 2. By order dated November 15, 2011, the Court previously scheduled ENE and set the deadline
8 for the ADR session as 90 days from the date of the order, or February 13, 2012.
- 9 3. At the Parties’ preliminary ENE telephone conference held on January 23, 2012, the Parties
10 and the ENE Evaluator discussed and agreed to extend the ENE to March 1, 2012 to
11 accommodate the Parties’ schedules.
- 12 4. By order dated January 30, 2012, the Court rescheduled the ENE deadline to March 1, 2012.
- 13 5. The Parties reached an agreement in principle to settle, and wish to have more time to
14 continue to finalize and document their agreement, prior to the ENE. Counsel for the
15 Defendant spoke with the ENE Evaluator on February 23, 2012 about this rescheduling
16 proposal, and the ENE Evaluator confirmed his consent to an extension.
- 17 6. By order dated February 27, 2012, the Court rescheduled the ENE deadline to March 9, 2012.
- 18 7. Due to scheduling conflicts and complexities that have arisen in documenting the settlement
19 since the date of the court’s last ENE rescheduling order, the Parties request that the court
20 extend the deadline to hold the ENE by 37 additional days so the Parties may confer and
21 finalize and document their agreement prior to the ENE.
- 22 8. Rescheduling the ENE will further the interests of judicial efficiency and conserve resources,
23 as the settlement process may obviate the need for the ENE.

24 //

25 //

26 //

27 //

28 //

1 IT IS HEREBY STIPULATED by and between the parties hereto that the ENE be
2 rescheduled from March 9, 2012 to April 16, 2012.

3
4 Dated: March 6, 2012

PAUL HASTINGS LLP

5
6 By: /s/ Patrick W. Shea
PATRICK W. SHEA

7 Attorneys for Defendants
8 AT&T PENSION BENEFIT PLAN – NONBARGAINED
PROGRAM and AT&T, INC.

9
10 Dated: March 6, 2012

MARIN LEGAL, PC

11
12 By: /s/ Roger P. Rozek
ROGER P. ROZEK

13 Attorney for Plaintiff
14 WILLIAM GRAHAM

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED that the deadline for the Parties to hold an Early Neutral Evaluation (“ENE”) session is hereby rescheduled from March 9, 2012 to April 16, 2012. All deadlines associated with that conference are hereby reset.

DATED: 03/07, 2012

By:



HON. THELTON E. HENDERSON
United States District Court